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SUBJECT: PORT SECURITY DEMARCHE - PAKISTAN

REF: MARITIME TRANSPORTATION SECURITY ACT OF 2002

11. (U) This is an action request. See paragraphs 5-6.

SUMMARY

12. (SBU) The United States Government is concerned that the current level of port security in Pakistan does not adequately reflect the current threat situation given recent terrorist events in Pakistan and within the region. However, because of the critical partnership between the U.S. and Pakistan, including the supply of U.S. and International Security Assistance Force troops in Afghanistan, and the possible implications of additional port security measures on Pakistan's fragile democracy, the U.S. seeks to engage Pakistan cooperatively to address U.S. concerns regarding a possible increased risk of terrorist exploitation of international maritime commerce to launch attacks, including on the United States. We want to work with Pakistan to enhance port security measures in line with the International Convention for Safety of Life at Sea (SOLAS), 1974 and the International Ship and Port Facility Security (ISPS) Code of the International Maritime Organization for their port facilities and for vessels upon arrival to Pakistan. Embassy Islamabad should seek Pakistan's agreement to receive and to accommodate a U.S. Coast Guard visit to discuss enhanced security measures and to offer recommendations for additional measures as appropriate. If these conditions are not implemented, the U.S. Government may impose conditions on entry of vessels arriving to the United States whenever one of their last five ports of call was in Pakistan. Secure Freight Initiative Port Qasim is exempt from this request.

BACKGROUND

13. (SBU) The Maritime Transportation Security Act Of 2002 (46 U.S.C. 70108-70110) requires the Secretary Of Homeland Security to monitor the effectiveness of anti-terrorism measures maintained in foreign ports and to take action if effective anti-terrorism measures are not in place. The National Security Council and Homeland Security Council have concerns about the effectiveness of current anti-terrorism measures in Pakistan's ports. Based on an assessment of available intelligence, and a decrease in the overall security environment due to recent attacks against U.S., Pakistani, and other international interests, the Secretary of Homeland Security in coordination with the Maritime

Security Policy Coordinating Committee (MSPCC) has determined that the anti-terrorism measures in place in Pakistan do not reflect the current threat situation. When such a finding is made, the U.S. Government may impose conditions of entry on vessels arriving to the United States whenever one of their last five ports of call was in Pakistan.

¶4. (SBU) Accordingly, Pakistan, under its responsibilities as the contracting government by the SOLAS regulations, including the ISPS Code, is requested to immediately set the port security posture to security level 2 for port facilities and to impose conditions of entry on vessels upon arrival to Pakistan. The Government of Pakistan is also requested to host a U.S. Coast Guard visit to assess the new security measures (under ISPS code Level 2) implemented by the Government of Pakistan to address the increased risk. If following a U.S. Coast Guard review of port security measures in Pakistan's ports, it is determined that port security is adequate, action to impose conditions of entry would be suspended.

ACTION REQUEST

¶5. (U) Post is requested to draw on the background material above in approaching officials in the appropriate ministries. Please advise to whom the points were delivered, the date of delivery, and the response. In its response, post is also requested to provide its views regarding the likely impact of such increased security measures in terms of both the additional resource demands on the Government of Pakistan and the shipping industry, and the potential public impact of such measures. The U.S. Coast Guard is prepared to visit Pakistan to assess the implementation of ISPS Level 2 security measures in Pakistani port facilities in collaboration with appropriate host government officials. Please advise if such a visit would be acceptable to the Government of Pakistan and provide a post point of contact. Post's assistance in arranging any visit would be appreciated.

Talking Points

¶6. (U) Begin Talking Points:

- The U.S. continues to recognize Pakistan as an important counterterrorism partner.
- Under the Maritime Transportation Security Act, the United States Congress mandated that the United States Government assess the effectiveness of anti-terrorism measures in foreign ports.
- As a result of our initial assessment of information available to us, and a decrease in the overall security environment as shown by recent attacks against U.S., Pakistani, and other international interests, the United States Government is concerned that the current level of port security in Pakistan does not adequately reflect the threat situation. When such a determination is made, the United States Government, under the authority of the Maritime Security Act of 2002, may impose conditions of entry on all vessels sailing to U.S. ports that have called at a port in Pakistan within five port calls of a U.S. arrival. However, appropriate action by the Government of Pakistan would remove the need to take such measures.
- Specifically, the Government of Pakistan, under its responsibilities as the contracting government by the SOLAS regulations, including the ISPS Code, is requested to immediately set security level 2 for all of its port facilities as defined in the ISPS Code except for the Secure Freight Initiative port of Qasim.
- We recommend that the Government of Pakistan require that

vessels arriving at ports in Pakistan:

-- set security level 2 (as defined in the ISPS Code);

-- ensure that each access point to the vessel is guarded and that the guards have complete visibility of the exterior (both landside and waterside) of the vessel, while the vessel is in port in Pakistan. Guards may be provided by the vessel's crew; however, additional crewmembers should be placed on the vessel if necessary to ensure that limits on maximum hours of work are not exceeded, and/or minimum hours of rest are met, or guards may be provided by outside security forces approved by the vessel's master and company security officer;

-- execute a declaration of security while the vessel is in port in Pakistan; and

--log all security actions in the ship's log while the vessel is in port in Pakistan.

- These are the same security measures the Coast Guard would impose on vessels visiting U.S. ports had these vessels docked at high threat ports during any of the last five port calls.

- In addition, the U.S. Coast Guard would welcome an opportunity to visit Pakistan to assess the implementation and effectiveness of new security measures under level 2 of the ISPS code and to exchange best practices on port security. Such a visit would form the basis for determining whether additional measures are needed or if any technical assistance could be provided.

- This determination specifically reflects the U.S. Government's assessment that Pakistan's current level of port security does not adequately reflect the threat situation.

End talking points.

17. (U) Department invites post to provide insights and suggestions on how best to cooperatively engage the Government of Pakistan on this issue. Your assistance is appreciated.

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